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C O N F I D E N T I A L SECTION 01 OF 03 KABUL 003179

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DEPT FOR SCA/FO DAS GASTRIGHT, S/CT, SCA/A,
NSC FOR AHARRIMAN
CENTCOM FOR POLAD, CG CFC-A, CG CJTF-76
TREASURY FOR APARAMESWARAN, ABAUKOL
STATE PLEASE PASS USAID FOR AID/ANE, AID/DCHA/DG

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TAGS: PGOV SOCI PINR AF

SUBJECT: DEPT FOR THE PREVENTION OF VICE AND THE PROMOTION
OF VIRTUE MAKING A COME BACK?

Classified By: AMBASSADOR RONALD NEUMANN FOR REASONS 1.4 (B) AND (D)

SUMMARY

¶1. (C) The feared Department of the Prevention of Vice and Promotion of Virtue that existed during and before the Taliban era may resurface again if Acting Supreme Court Chief Justice Shinwari has his way. Two months ago, at a meeting of the National Ulema Council for Afghanistan, Shinwari and others called for the reinstatement of this department to combat moral corruption of Afghan people and to counter Taliban claims that the Karzai government was "un-Islamic." The department existed prior to the Taliban without much public opposition but the Taliban Government elevated it to Ministry level and gave it harsh enforcement powers. There is little information on what its reincarnation might look like. Karzai's Chief of Staff has stated flatly that Karzai will not approve any such entity, but NSA Rassoul says no decision has been made and some "middle ground" must be found. Some believe if this department does get established in some form, it will be "earth to sky" different from Taliban times. We will work with the GOA to prevent any re-establishment of this hated vestige of the Taliban era. END SUMMARY.

TIMELINE

¶2. (C) The proposed reinstatement of the Department of the Prevention of Vice and Promotion of Virtue under the Ministry of Religious Affairs and the Hajj has been in the works for the past two months. Below is the timeline of its genesis.

- PRE-TALIBAN: The Department for the Prevention of Vice and the Promotion of Virtue was created prior to the Taliban takeover. Most did not object to its original mission and the government felt that it was a necessary office for an Islamic country.

- DURING THE TALIBAN: The department was converted to Ministry level and given the power to enforce Taliban moral codes. The Ministry was loosely affiliated with the Supreme Court. Men were required to have beards of a certain length, women were not allowed outside without a male relative, and roads were closed during prayer times to ensure attendance. Religious police employed by the Ministry patrolled the streets and routinely arrested violators or simply beat them in the streets.

- AFTER THE TALIBAN: The Ministry was closed and has remained inactive since.

- In May 2006, members of the National Ulema Council, including Acting Supreme Court Chief Justice and head of the Council Shinwari, called for the reinstatement of the Department of the Prevention of Vice and Promotion of Virtue as part of the Ministry of Religious Affairs and the Hajj. The Council was insistent that the department was a basic requirement for an Islamic Country.

- According to the Deputy Minister for Religious Affairs and the Hajj, President Karzai promised to consider the proposal and responded by convening a small group to review the proposal and present him a recommendation. This group was composed of Acting Chief Justice Shinwari; Ex-Deputy Minister for Religious Affairs and the Hajj and new member of the Supreme Court Mr. Qasimi; Chief Justice nominee Mr. Azimi; and Minister for Religious Affairs and the Hajj Shahrani.

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- A month ago the group presented its findings to the Palace. It is unclear who exactly received the information. It has been said separately that the President, Vice President, or cabinet had given their approval.

- According to the Deputy Minister for Religious Affairs and the Hajj, the proposal was discussed by the Cabinet on at least two occasions when he was present. Minister Shahrani has been in Saudi Arabia and unavailable for comment.

- President Kazai's Chief of Staff told the Charge on July 11 that reports concerning the establishment of a Vice and Virtue Department were false and that Karzai would approve no such institution. However, the Deputy Minister told PolOff on July 13 that the proposal had been accepted by the Cabinet and will go before Parliament when it comes back into session on July 23. No information has been released on the Department's name, structure, mission, or mode of operation as of yet. According to the Afghan Independent Human Rights Commission, these matters should be resolved through the Office of Administrative Affairs in the Office of the President.

- National Security Advisor Rassoul told A/DCM on July 16 that no decision had been made but that the GOA would have to hew a "middle ground" on this issue.

PUBLIC SENTIMENT

¶3. (C) PolOff spoke to several Afghans in the media and NGO communities. All were against a Taliban-style department and most were against an office of any kind. The media community is especially concerned with the department's potential impact on media freedom. Human rights contacts were also concerned about the comeback of the department, but were waiting for more information to be circulated before they act

formally.

¶4. (C) Most of our interlocutors, although concerned, were confident that public outrage over the office would sink this ship before it sailed. However, several well-educated Afghans told PolOff this could be a very helpful department and actually wanted it to be created. They said that more could be done to curb consumption of alcohol by Afghans and the presence of prostitution and pornography in the country. Some also suggested that this would be an opportunity for the GoA to fight allegations by the Taliban that the government was not sufficiently Islamic and had failed to protect the State's religious character. Parliament's response to such a proposal remains unclear. Based on previous debates on related issues, this proposal could be approved.

¶5. (C) Chief of Staff Jawed Ludin's statement to the Charge flatly denying that the GOA had made any decision to do this indicated that the GOA is aware of the sensitivities, but this does not appear to be the end of the story. MP and journalist Shukria Barkhzai (protect) told A/DCM that she had heard nothing to suggest that the GOA was planning to move forward with this and said it "would never happen." However, she added that if the matter came to Parliament, most Parliamentarians would feel compelled to support it publicly, even while privately disliking the idea. A prominent member of a civil society NGO (protect) told A/DCM that he thought the Ministry of Religious Affairs and the Hajj might open an office of limited size which would not be very powerful.

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SHINWARI'S POWER PLAY

¶6. (C) Many Afghans believe that Shinwari is trying to secure more power for himself after losing his position as Chief Justice, after the Parliament vetoed his nomination (KABUL 2468). Although he does not lead the Ministry of Religious Affairs he is head of the National Ulema Council and would potentially have a say in the department's function. The timing and actions fit, but it is still too early to tell how much he could gain from the establishment of such a department. Moreover, he does not enjoy good relations with Minister Shirani, in whose ministry the proposed office would reside. In the past, Shinwari has spoken publicly about his conservative beliefs and raised the conservative standard, calling for women to be banned from performing on television, calling for the death of Christian convert Abdul Rahman, and for the imprisonment of women's magazine editor, Mohaqeq Nasab.

COMMENT

¶7. (C) Many agree that reinstatement of a Department of Vice and Virtue would be a mistake, primarily due to its extremely negative history. A different name would need to be proposed, at the very least, to bring the public on board, and its powers would need to be circumscribed. However, there is a widespread perception, more frequently voiced in recent weeks, that something must be done to defend Afghanistan against promulgation of the seamier side of "Western" culture, particularly by the media. There is already an "Anti-Moral Corruption Office" in the MOI that routinely deports prostitutes and confiscates alcohol. NSA Rassoul's comments reflect political pressure on Karzai to deny the Taliban a propaganda victory by squelching the idea altogether. The international community will need to engage strongly behind the scenes with the GOA to prevent the re-establishment of

an entity that could harm Afghanistan's image abroad or reinstate practices that undermine human rights and human dignity. END COMMENT.

NORLAND